

REMARKS

Applicant wishes to thank the Examiner for pointing the lack of antecedent basis in dependent claims 26-29. By the present amendment, Applicant has corrected the dependency of these claims so that they properly depend upon claim 25.

Applicant has also amended the sole independent claim 1 in order to more clearly define Applicant's claimed dental syringe kit.

In light of these amendments, Applicant respectfully requests reconsideration of the rejections based upon Malmin. U.S. Patent No. 3,794,831 to Malmin is directed to a disposable cartridge of the type commonly used in syringes and is particularly directed to improved seals on both ends of the cartridge. Malmin discloses providing the end of the cartridge which typically engages a double ended needle with a rubber seal having a main body which overlies the end of the cartridge and a projecting annular portion which engages the sides thereof. Malmin also discloses use of his cartridge within a syringe 40 provided with a vacuum tube 53 for aspirating purposes (see column 3, lines 39-52). At least one embodiment of Malmin discloses the use of seals comprising ribs which are provided to effectively seal the cartridge at both ends within the barrel 41 of syringe.

Malmin states:

“This feature is important because cartridges of this nature have the capability of shattering or splitting under the hydraulic pressures involved in injection. In the event this happens, it is possible that particles of the material could be driven into the patient's tissue, and furthermore the local anesthetic solution could be “dumped” into the mouth in an

unregulated manner with potentially disastrous effects. Accordingly, effectively sealing between the cartridge body and the inner surface of the barrel will avoid this possible problem.” (See column 6, lines 1-12)

Applicant’s invention is structurally different and addresses a concern which is different from the concern addressed by Malmin. As noted in the above quote, Malmin’s structure is designed to minimize the likelihood of glass from a shattered dental anesthetic cartridge as well as the anesthetic itself from being “dumped” into the mouth of a patient. This is not a concern with Applicant’s invention since the cartridge of applicant’s invention is remote from the patient and is not placed close to the patient’s mouth. Applicant’s present invention is designed to reduce the likelihood of leakage of anesthetic from a needle handle which is fed anesthetic through a flexible conduit.

By the present amendment, Applicant has clarified the physical distinction between Applicant’s dental syringe kit and the cartridge of Malmin by reciting that the claimed flexible conduit is adapted to carry anesthetic fluid from a source of anesthetic (e.g., a dental anesthetic cartridge) in fluidic communication with said proximal end of said conduit to the claimed needle handle.

REQUEST FOR EXTENSION OF TIME

Finally, Applicant hereby requests a two-month extension of time to respond to the outstanding Office Action. A PTO-2038 form in the amount of \$ 225.00 is enclosed herewith for the official fee associated therewith.



REQUEST FOR TELEPHONIC INTERVIEW

Prior to the issuance of a further action on the merits, applicant respectfully requests that the Examiner contact Applicant's attorney, Mr. Burke, at the phone number set forth below.

CONCLUSION

Applicants respectfully submit that all pending claims are in condition for allowance.

Respectfully submitted,

Daniel P. Burke
Registration No. 30,735
DANIEL P. BURKE & ASSOCIATES, PLLC
Attorney for Applicant
300 Rabro Drive - Suite 131
Hauppauge, NY 11788
Tel: (631) 851-9766
Fax: (631) 851-9755

F:\G&b\1282\8-CIP\amendment.wpd